

Amendment No. 7 to SB3296

Person, Curtis
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3296*

House Bill No. 3450

by adding the following language to the end of the amendment:

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____.

(a) Notwithstanding the provisions of any law to the contrary, in any condemnation proceeding initiated in this state, the bill of costs prepared by the clerk shall be taxed against:

(1) The condemner, if:

(A) The amount of damages awarded at trial exceeds the amount assessed by the condemner and deposited with the clerk;

(B) The condemnation is abandoned by the condemner; or

(C) The final judgment is that the condemner cannot acquire the property or property rights by condemnation; or

(2) The respondents, if the amount of damages awarded at trial does not exceed the amount assessed by the condemner and deposited with the clerk.

(b) Notwithstanding the provisions of any law to the contrary, in any condemnation proceeding initiated in this state, the court shall award the respondents such sum as will reimburse them for their reasonable disbursements and expenses, including reasonable attorney, appraisal, and engineering fees actually incurred because of the action, only if the

costs are taxed to the condemner pursuant to subdivision (a)(1)(B) or (a)(1)(C) of this section. The court shall not award such sum if the costs are taxed to the condemner pursuant to subdivision (a)(1)(A).

(c) Rule 54.04 of the Tennessee Rules of Civil Procedure shall govern the taxing of any additional costs.